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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest



FEDERATION FOR AMERICAN IMMIGRATION REFORM

July 17, 2020

House and Senate Judiciary Committees

House Ways and Means Committee

The State House

24 Beacon Street

Boston, MA 02133

Dear Chairs Eldridge, Cronin, Michlewitz and other distinguished members of the committees:

My name is Shari Rendall and I am the Director of State & Local Engagement at the Federation for American Immigration Reform (FAIR). FAIR is a non-profit, non-partisan organization of concerned individuals who believe that our immigration laws must be reformed – and enforced – to better serve the needs of current and future generations.

For the past 40 years, FAIR has been offering and advocating for solutions that help reduce the harmful impact of illegal immigration on national security, public safety, the economy, jobs, education, health care, and our environment. Our support base includes over two million diverse members and supporters, including activists, social media followers, and donors.

I write to express FAIR's opposition to Senate Bill 2820, the reforming police standards bill. This bill needlessly hampers law enforcement and it subjects officers to an unelected and unaccountable police officer standards and accreditation committee.

The standards and accreditation committee will give excessive influence to unaccountable advocacy organizations and their policy agendas, which includes mass immigration. It will allow certain non-profit groups to refashion police department objectives. Any law enforcement officer not abiding by its tenets could become a target.

Additionally, the bill includes a provision for community policing principles. These principles include building trust in Massachusetts communities by shielding criminal aliens under the guise that those in the country illegally will not feel comfortable reporting crimes or acting as witnesses to a crime.



There is no documented evidence indicating that any illegal alien has ever been deported solely as a result of reporting a crime or volunteering information to the police. Like everyone else in the United States, illegal aliens can offer information that may be valuable to police investigations on various anonymous “tip-lines.”

Furthermore, if illegal aliens provide helpful information to police, they may qualify for a "S," "T," "U" or "VAWA" nonimmigrant visa, which, in-turn, would allow them to apply for permanent legal status in the U.S.

Finally, FAIR objects to further restricting information to law enforcement officers from the schools. Schools are already generally considered sensitive locations. As a sensitive location, law enforcement officers already usually refrain from enforcement actions unless there is an extraordinary circumstance involving public safety, but they need to retain discretion to act in such extraordinary circumstances.

In *Plyler v. Doe*, the Supreme Court held that a state may not deny access to public education to any child residing in the state, regardless of whether the child is present in this country illegally.

Moreover, it is already a policy that school department personnel and student resource officers do not generally report personal information including immigration status to law enforcement officials. In fact, under the Family Educational Rights and Privacy Act (FERPA), school districts must maintain the confidentiality of all personally identifiable information in education records related to students. 20 U.S.C. §1232g; 34 CFR § Part 99. FERPA does have exceptions which apply only in limited situations.

Exceptions to FERPA which permit school districts to disclose student information include: compliance with a “judicial order or lawfully issued subpoena,” a health or safety emergency, or a student engaged in a crime of violence or a sex offense. These limited exceptions, however, would generally not be implicated by a student illegally in the country who has not engaged in any dangerous activity.

I thank you for the opportunity to provide our input. Please do not hesitate to reach out if we may be of assistance. I may be reached via email at srendall@fairus.org or by phone at 202-328-7004.

Sincerely,

A handwritten signature in black ink that reads "Shari Rendall". The script is cursive and fluid, with the first letters of "Shari" and "Rendall" being capitalized and prominent.

Shari Rendall